IAP5 Rec'd PCT/PTO 28 DEC 2005

10/562662

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Arne Berger, et al.

Serial No.:

Unassigned

Filed:

Herewith

For:

LONGITUDINAL PLUNGING UNIT WITH CAGE SECURING MEANS

Attorney Docket No.:

GKNG 1272 PCT

I hereby certify that this correspondence is being deposited with the United States Postal Service via "Express Mail" under Label No. EV771866565US In an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22813-145001;

December 28, 2005

Date of Deposit

Angie Moscowitz

## UNDER 37 C.F.R. § 1.56

Mail Stop PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In compliance with 37 C.F.R. § 1.56, the art listed and identified on the attached PTO form is being submitted herewith for consideration by the Examiner. A copy of each of the listed references is included herewith. A review of the European Patent Office determines that patents DE 103 13 739 and DD 31 220 have no English Abstract available at this time.

It is Applicants' opinion that the claims presently on file patentably distinguish the present invention from each of these references. The above references are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art.

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No fee is believed to be due because this statement and enclosures are being filed with the initial patent application. The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 50-0476 in the name of John A. Artz, P.C.

Respectfully submitted,

ARTZ & ARTZ, P.C.

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Registration No. 40,783

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Date: December 28, 2005

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Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute	for form 1449A	/PTO		Complete if Known		
				Application Number	APPLIED FOR	
INFO	RMATIO	N DI	SCLOSURE	Filing Date	HEREWITH	
STAT	EMENT	BY A	APPLICANT	First Named Inventor	ARNE BERGER, ET AL.	
				Art Unit		
(1	ıse as many s	heets as	s necessary)	Examiner Name		
Sheet	1	of	1	Attorney Docket Number	GKNG 1272 PCT	

			U.S. PATE	NT DOCUMENTS	
Examiner Initials		Document Number Number - Kind Code <sup>2</sup> (if known	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US- 2001/0018369	08-30-2001	Cermak et al.	
	BB	US. 3,365,914	01-30-1968	Asher	
	CC	us- 6,705,948	03-16-2004	Cermak, et al.	
	DD	us- 6,802,781	10-12-2004	Schwarzler et al.	
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	FOREIGN PATENT DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document  Country Code 3 - Number 4 - Kind Code 5 (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T6
	EE	DE 198 24 477 A1	12-02-1999			
	FF	DE 296 11 785 U1	09-26-1996			
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Examiner	Date	**
Signature	Considered	

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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP Papilicant's unique diaulor designation number (optional). "See kinds codes of OSFTO Patent Documents at <a href="https://www.uspic.tgtv">www.uspic.tgtv</a> of MFZF 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.